



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

IN RE APPLICATION OF

LOUIS B. ROSENBERG and
BERNARD G. JACKSON

Serial No. 08/092,974

Filed: July 16, 1993

For: THREE-DIMENSIONAL
MECHANICAL MOUSE

Palo Alto, CA 94301

RECEIVED

DEC 20 1993

APPLICATION DIVISION

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited, postage prepaid, with the United States Postal Service as "First Class Mail" in an envelope addressed to: The Commissioner of Patents and Trademarks, Washington, DC 20231 on November 30, 1993.

Signed:

Paula N. Chavez, Reg. No. 34,798

U. S. Patent and Trademark Office
Attn: Office of the Assistant Commissioner for Patents
Washington, D.C. 20231

PETITION PURSUANT TO 37 C.F.R. 1.181

Sir:

This petition is presented in response to a communication received from the United States Patent & Trademark Office, Notice of Incomplete Application (Form PTO-1123) mailed from the USPTO on November 9, 1993. Attached hereto is a copy of a proposed preliminary amendment, a proposed drawing change and letter to the Draftsperson which will be filed upon the approval of this Petition by the Office of the Assistant Commissioner for Patents.

The Notice of Incomplete Application identifies Figure 4 as missing from the above referenced patent application. However, upon review of the submitted patent application, Applicant has determined that all of the drawings were in fact submitted but were incorrectly numbered. Thus, Applicant respectfully submits that the above identified patent application is complete.

Applicant also determined that the Figures were incorrectly identified in the patent specification. The proposed preliminary amendment includes a corrected page of drawings, once bearing FIGS. 3A, 3B and 3C. Red ink shows the original numbers having been crossed out and new numbers FIG. 3 and FIGS. 4A and 4B replacing the original numbers. Also included with this preliminary amendment is a letter to the Draftsperson requesting that Applicant be allowed to amend the drawings as shown by those included.

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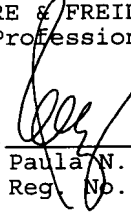
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Moreover, it appears that certain corrections to the Specification need to be made so that the Specification and drawing numbering will be consistent. Therefore, in the proposed preliminary amendment Applicant amended the Specification under both the "Description of the Drawings" and in the "Description of Preferred Embodiments." Mostly, the amendments are with respect to changes in the Figure numbers to match those of the corrected drawings, except that on page 4, line 4, Applicant has asked the Examiner to delete "Figure 2 is a block diagram" and insert -- Figures 2A and 2B are block diagrams-- and on line 10, Applicant has asked that the Examiner delete "the" and insert --two different ... routines--. Some typographical errors are also corrected. Applicant respectfully submits that these amendments do not add any new subject matter in that they only state that which was presented in the originally filed patent application.

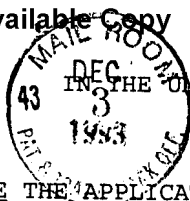
Applicant respectfully requests that the Assistant Commissioner approve Applicant's petition to provide Applicant the original filing date of July 16, 1993 because the originally submitted patent application was complete upon submission to the United States Patent Office. Applicant also respectfully requests that the fee included with this petition be refunded.

Very truly yours,

WARE & FREIDENRICH
A Professional Corporation

By: 
Paula W. Chavez
Reg. No. 34,798

WARE & FREIDENRICH
400 Hamilton Avenue
Palo Alto, CA 94301-1825
(415) 328-6561



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COMMUNICATION/LETTER

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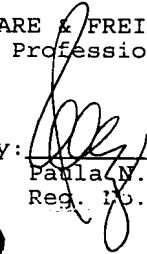
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The Notice of Incomplete Application identifies Figure 4 as missing from the above referenced patent application. However, upon review of the submitted patent application, Applicant has determined that all of the drawings were in fact submitted but were incorrectly numbered. Thus, included with the Preliminary Amendment is a corrected page of drawings, once bearing FIGS. 3A, 3B and 3C. Red ink shows the original numbers having been crossed out and new numbers FIG. 3 and FIGS. 4A and 4B replacing the original numbers.

No new matter has been added by these changes. Therefore, Applicant respectfully requests that the Draftsperson approve the changes made to the drawings.

Very truly yours,

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Reg. No. 34,798

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